

Adversary Proceeding Case Opening

Opening an Adversary proceeding involves entering the necessary information regarding the plaintiff and defendant and basic statistical data. The lead event is incorporated into this process and will not need to be docketed separately.

- STEP 1** Click the Adversary hypertext link on the CM/ECF main menu bar. (See Figure 1.)

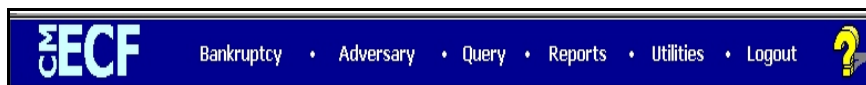


Figure 1

- STEP 2** The **ADVERSARY EVENTS** screen displays. (See Figure 2.)



Figure 2

- ◆ Click the Open an AP/MP Case hypertext link.

- STEP 3** The **CASE DATA** screen displays. (See Figure 3.)



CM/ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Open Adversary/MP Case

Case Number

Office Batesville ▼

Date Filed 11/20/2001

Case Type ap ▼

Complaint y ▼

Next Clear

Figure 3

- ◆ Select the **Office** from the drop down box.
- ◆ The current date is displayed in the **Date Filed** box.
 - To backdate this filing, enter the correct date in the format mm/dd/yyyy or mm/dd/yy, including the forward slashes.
- ◆ The **Case Type** values are “ap” for adversary proceeding and “mp” for miscellaneous proceeding. Accept the default of “ap”.
- ◆ The **Complaint** field indicates whether a Complaint is the lead event for this proceeding. If a Complaint initiated this proceeding, leave this field set to **y**. If another document, such as a Notice of Removal, was filed instead, select **n**.
- ◆ When this screen is correct, click **[Next]**.

STEP 4 The **PARTY SEARCH** screen appears. (See Figure 4.)

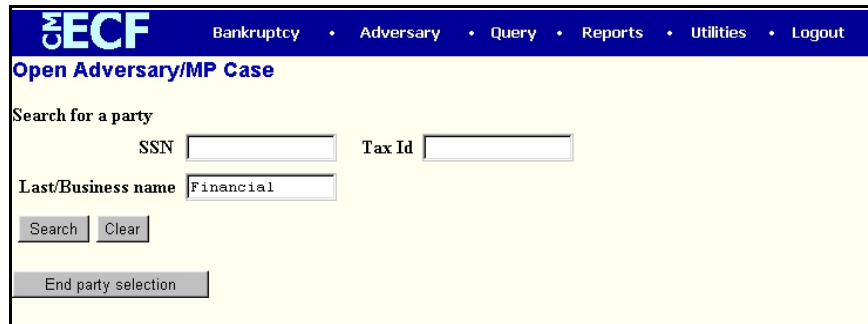


Figure 4

- ◆ Before adding a party, it is recommended that one search the database for the filer. One can search by Social Security Number, Tax Identification Number, Last Name or Business Name.
- Enter the last name or the first few characters of the last name to search. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters

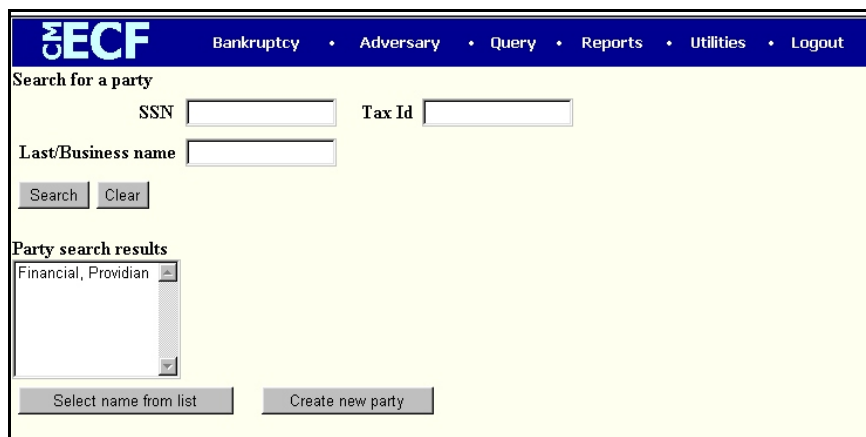
Search Hints:

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (*son, Gr?y)

NOTE: Do not use the asterisk * by itself as search criteria. If just the asterisk is used, the entire database will be searched and require unnecessary systems resources and may degrade response time.

- ◆ Enter the plaintiff's last name or other search clue and click **[Search]**. In Figure 4 we have entered the first word of the plaintiff's name (Financial).

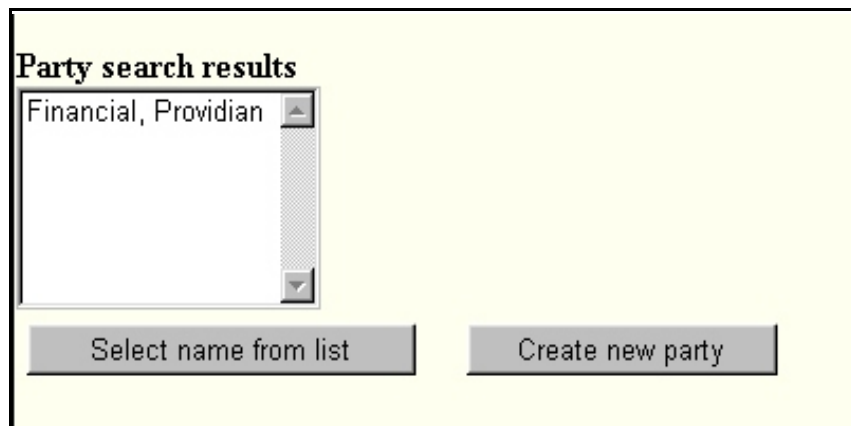
STEP 5 The **SEARCH RESULTS** screen appears. (See Figure 5.)



The screenshot shows the ECF Party Search interface. At the top is a blue header with the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the header is a search section titled "Search for a party". It contains two input fields: "SSN" and "Tax Id". Below these is a "Last/Business name" input field. There are "Search" and "Clear" buttons. Below the search section is a "Party search results" section. It features a scrollable list box containing the text "Financial, Providian". At the bottom of the results section are two buttons: "Select name from list" and "Create new party".

Figure 5a

- NOTE:** If the designated party was already on the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation you would select the party by highlighting the name with your mouse and click on the **[Select Name From List]** button. (See Figure 5b.)
- ◆ In Figure 5b the only party on the database matching the search criteria was Providian Financial. Since our party, Financial Services is not on the list, click the **[Create New Party]** button.



This is a close-up of the "Party search results" section from Figure 5a. It shows a scrollable list box with the text "Financial, Providian". Below the list box are two buttons: "Select name from list" and "Create new party".

Figure 5b

STEP 6 The **PARTY INFORMATION** screen appears. (See Figure 6.)



ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Party Information

Last name First name

Middle name Generation Title

SSN Tax ID

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

ProSe Role

Party text

Attorney... Alias... Review... Add all attorneys and aliases before clicking the Submit button.

Submit Cancel Clear

Figure 6

- ◆ Enter the plaintiff's **Name** in the appropriate box.
- ◆ Expand the **Role Type** selection pick list by clicking on the down arrow ▼ and select Plaintiff.
- ◆ NOTE: **If applicable ADD** all other parties, such as panel trustee, U.S. Trustee as interested party. Continue process until all parties are included.
- ◆ Click on the **ATTORNEY** button on the **Party Information** screen. (See **Figure 6**)

NOTE: If an attorney is unknown, Leave Prose as "NO", if answer is filed by prose, the Court will change party to "Prose" in Utilities, Edit Party Participants to reflect as prose filer.

- STEP 7** The **ATTORNEY SEARCH** screen allows you to retrieve the attorney record by either State Bar ID or Last Name (or partial Last Name) on the **SEARCH FOR ATTORNEY** screen. (See Figure 7.)

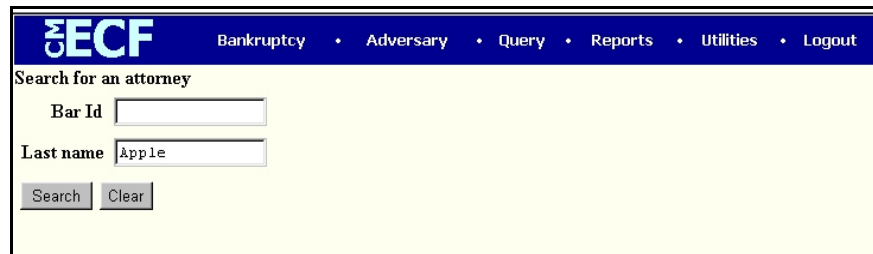


Figure 7

- ◆ This exercise illustrates how one could search for the attorney Cornelius Appleby. The search clue entered in the Last Name field is the beginning of his last name.
- ◆ Click on **[Search]**.

- STEP 8** The **ATTORNEY SEARCH RESULTS** screen will display all the matches for the search clue you entered. (See Figure 8.)



Figure 8

- ◆ When your name appears, highlight it with your mouse and click on **[Select Name From List]**.

- STEP 9** The **ATTORNEY INFORMATION** screen displays the master attorney record from the court attorney roll. (See Figure 9a.)

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Attorney Information (Party Financial Services, Inc.,)
 Cornelius Appleby Bar Id:IN 97912 Bar Status:Active

Office Address 1
 Address 2 Address 3
 City State
 Zip Country
 Phone Fax
 E-mail Lead attorney

Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.

Figure 9a

- ◆ Since your attorney record can accommodate only one address, if the address for this case should be different, accept as is and notify the systems department for correction.
- ◆ After verifying this information, click **[Add Attorney]** to associate this record with your plaintiff.
- ◆ The **PARTY INFORMATION** screen appears. At this time you could click on the **[Review]** button to verify attorney and alias information for this party. **Figure 9b** shows how this information is displayed. (See Figure 6, page 5 for the party screen to select review)

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Attorney(s) added:
☒ Appleby, Cornelius
 Black, Thorndike and Appleby
 1923 E. Walnut Street
 Indianapolis, IN 46204

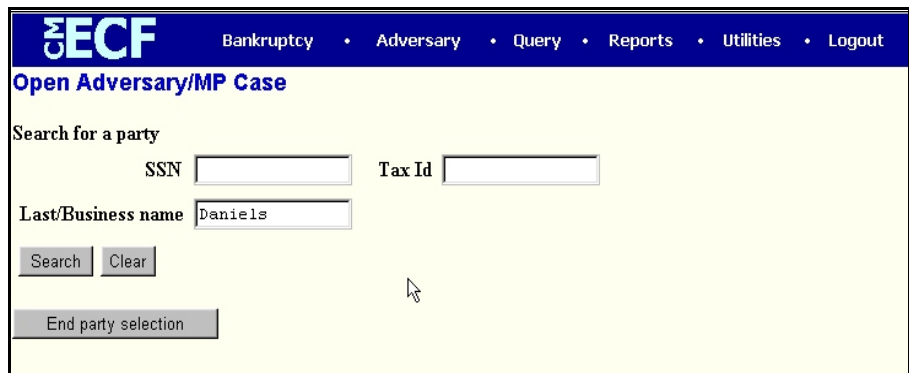
Alias(s) added:
 None added.

Uncheck to remove from list.

Figure 9b

- ◆ Click on the **[Return to Party]** button.
- ◆ When the **PARTY INFORMATION** screen appears again, you may continue to add plaintiff's if applicable, once completed Click **[Submit]**.

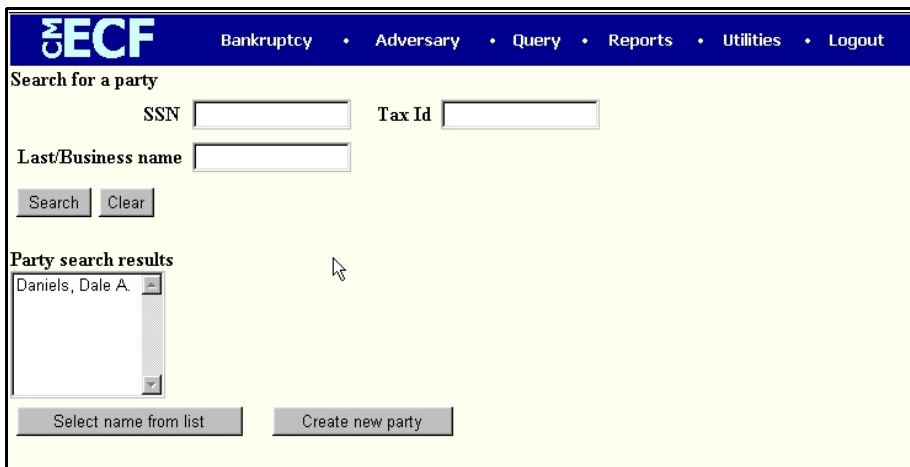
STEP 10 The **PARTY SEARCH** screen appears again (See Figure 10.)



The screenshot shows the ECF system interface. At the top is a blue navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this is a yellow header area with the text 'Open Adversary/MP Case'. The main content area is white and contains a 'Search for a party' section. This section has input fields for 'SSN' and 'Tax Id', and a 'Last/Business name' field which contains the text 'Daniels'. Below these fields are 'Search' and 'Clear' buttons. At the bottom of the search section is an 'End party selection' button.

Figure 10

- ◆ Enter party information for the defendant Dale A. Daniels. Search by last name.



This screenshot shows the same ECF interface as Figure 10, but with search results. The 'Party search results' section is now visible, showing a list with 'Daniels, Dale A.' as the only entry. This entry is highlighted. Below the list are two buttons: 'Select name from list' and 'Create new party'.

Figure 11

STEP 11 When the **SEARCH RESULTS** screen appears, the party will be displayed because Dale Daniels is already a debtor on the bankruptcy case. (See Figure 11.)

- ◆ Highlight the name and click on **[Select name from list]**.

STEP 12 The **SEARCH RESULTS** screen appears next with this party's address as it is recorded in the database from the bankruptcy case. (See Figure 12.)

The screenshot shows the 'Party Information' form in the CM/ECF system. The header includes the CM/ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The form is for 'Dale A. Daniels' with SSN: 301-42-6561. It contains several input fields: Office, Address 1 (15103 Sun Trail), Address 2, Address 3, City (Pleasantville), State (IA), Zip (54103), County (Essex), Country, Phone, Fax, E-mail, ProSe (no), and Role (Unknown (unk:pty)). There is a 'Party text' field at the bottom. At the bottom of the form are buttons for 'Attorney...', 'Alias...', and 'Review...'. A note states: 'Add all attorneys and aliases before clicking the Submit button.'

Figure 12

- ◆ **See Style Guide (Plaintiffs and Defendants page 5)** You must select the Party Role by clicking on the ▼ down arrow for the **Party Role** field. Highlight Defendant and click on **[Submit]**. The defendant's attorney information will be added at a later time.
- ◆ **REMINDER** - If no attorney is listed for defendant, mark **prose**.
- ◆ **REMINDER** - If someone other than the debtor, and is already in the system clear the address.
- ◆ The Party Search screen will reappear. **NOTE:** If the adversary has the United States of America as a party, open the case with the AGENCY, and the attorney as shown (if applicable) as well as the United States of America as the designated party (plaintiff or defendant) with Janet Reno, U.S. Dept. Of Justice as the attorney. If a specific government agency is not stated on the cover sheet or in the body of the complaint, contact the appropriate attorney for clarification. If the Internal Revenue Service is a defendant you **MUST ADD** the U.S. Dept. Of Treasury as a party defendant also.
- ◆ Once all parties (panel trustee, US Trustee, etc.) have been entered, click on **[End Party Selection]**. Statistical information will be entered on the next screen.

STEP 13 The system will then display the **ADVERSARY STATISTICAL** screen (See Figure 13a).

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Open Adversary/MP Case

Add judge: Strasberg, Lillian

Party code: U.S. not a Party in the case

Nature of suit: 426 (Dischargeability 523)

Origin: original proceeding

Transfer date:

Rule 23 (class action): n

Jury demand: None

Demand (\$000):

Next Clear

Figure 13a

- ◆ Select the **Judge** to whom this case is assigned from the drop- down box.
- ◆ For the **Party code** field, make the appropriate selection from the list below. (See Figure 7b.) For this example, **3 US not a party in the case**, is the correct selection.

3 U.S. Not a Party in the Case

1 U.S. is a Plaintiff

2 U.S. is a Defendant

3 U.S. Not a Party in the Case

Figure 13b

- ◆ Select the **Nature of Suit** for the case from the drop-down list, shown below. (See Figure 13c.) If there are multiple natures of suit in the proceeding, select only one.

426 (Dischargeability 523)

424 (Obj/Revocation Discharge 727)

426 (Dischargeability 523)

434 (Injunctive Relief)

435 (Validity/Priority/Extent Lien)

454 (Recover Money/Property)

455 (Revoke Plan Confirmation)

456 (Declaratory Judgment)

457 (Subordinate Claim/Interest)

458 (Approval For Sale)

459 (Application For Removal)

498 (Other Action)

Figure 13c

NOTE: If one of the multiple suits is a 727 Objection to Discharge, it is important to enter **424** as the first number.

- ◆ The **Origin** code defaults to **1 Original Proceeding**. (See Figure 13d.) This setting is normally correct. Other values are:

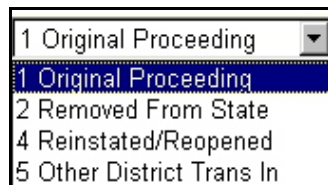


Figure 13d

- ◆ Enter a **Transfer date** only if the case has been transferred in from another district.
- ◆ The default for the **Rule 23 (class action)** field is **n**. Select **y** if the proceeding is a class action.
- ◆ The default for the **Jury Demand** field is **None**. (See Figure 13e.) Make another selection from the values below, if appropriate.



Figure 13e

- ◆ **Dollar Demand.** If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, if the Dollar Demand is \$4550, \$5,000, or \$5499, you would enter 5 for \$5000, leaving off the 000.
- ◆ When this screen is correct, click **[Next]**.

STEP 14 The **RELATED CASES** screen displays next. (See Figure 14.)

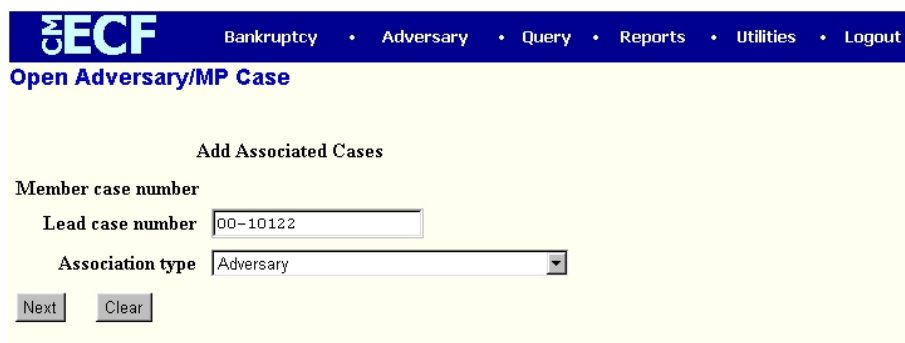


Figure 14

- ◆ Enter the **Lead Bankruptcy Case Number** in yy-nnnnn format, including the hyphen.

NOTE: If the case number is invalid or if the lead case does not reside on this database, an error message, “**YY-NNNNN is not a valid case. Please enter a valid value.**” is generated. You will not be able to proceed with the case opening process. Research the reason for the error.

NOTE: Recommended that you query the BK case to make sure the correct case number is entered. Also, confirm panel trustee name for adding as interested party in case.

NOTE: If you do not enter any number in the **Lead Case Number** field, the system **will** allow you to proceed with case opening.

- ◆ Select the default of Adversary as the **Association Type**.
- ◆ Click **[Next]** to continue.

STEP 15 The PDF Document selection screen displays. (See Figure 15a)



Figure 15a

To associate the imaged document with this entry, select the PDF filename of the complaint you are filing.

- Click **[BROWSE]**, then navigate to the directory where the appropriate PDF file is located and select it with your mouse.
- To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **OPEN**. (See Figure 15b)

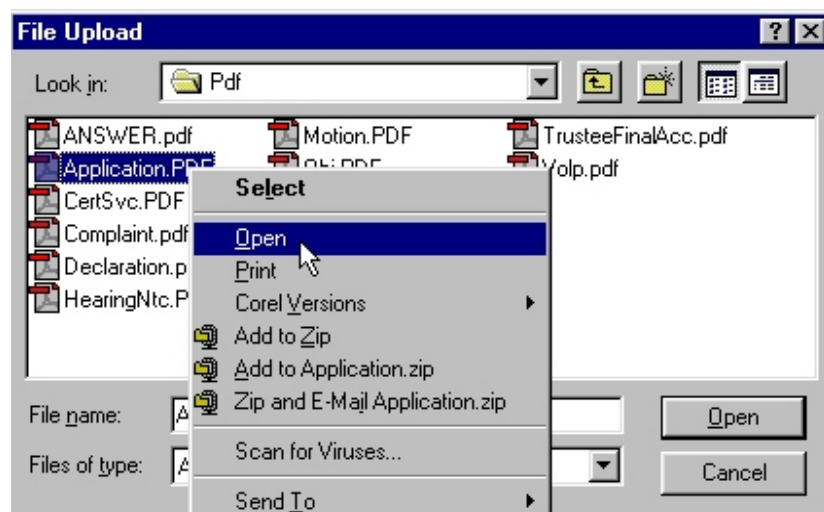


Figure 15b

- This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.
- Close or minimize the Adobe application and if that is the correct file, click **OPEN** on the File Upload dialogue box. (See Figure 15c)

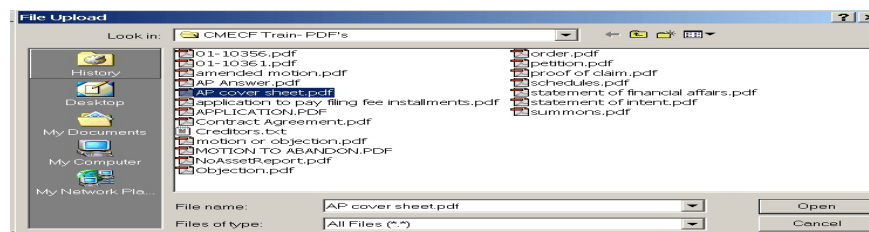


Figure 15c

- STEP 16** The system will display the **MODIFY DOCKET TEXT** screen.
(See Figure 16.) Optional prefixes for the final docket text are available in a drop-down box. If appropriate, select a prefix.

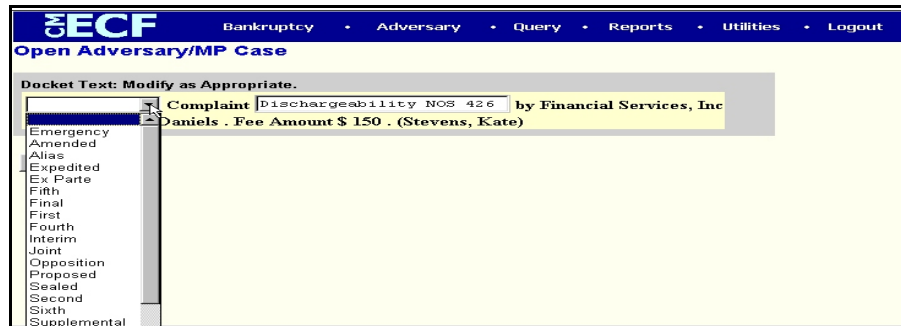


Figure16

- ◆ When the docket text is complete and accurate, click **[Next]**.

- STEP 17** The **FINAL DOCKET TEXT** screen displays (See Figure 17.)

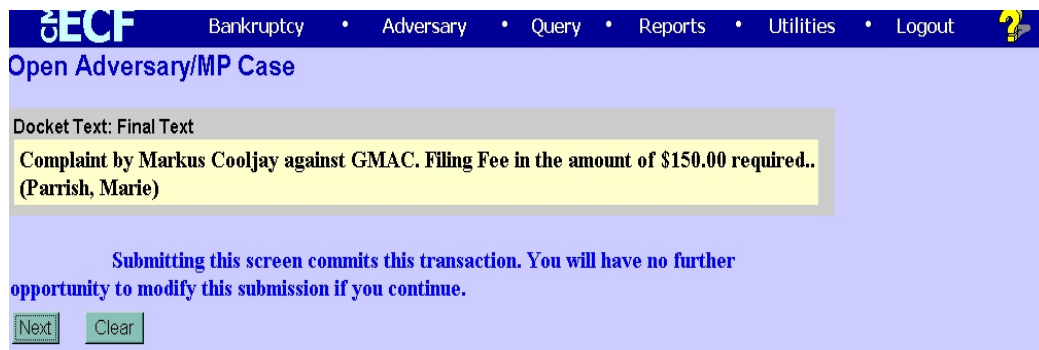


Figure 17

- ◆ Proofread this screen carefully! No further changes are allowed after this screen. If it is correct, click **[Next]**.
- ◆ If any part of the entry is incorrect, click the browser **[Back]** button to return to the screen you need to correct. Then process the screens again with the respective **[Next]** or **[Submit]** buttons.

NOTE: To abort or restart the transaction at any time up until the final docket text screen, click the **Adversary** hypertext link on the **Menu Bar**.

NOTE: When an adversary is opened, the complaint information is spread over to the main bankruptcy case.

STEP 18 The system then displays the **NOTICE OF ELECTRONIC FILING** screen. (See Figure 18a.)

Notice of Electronic Filing

The following transaction was received from Parrish, Marie on 9/13/2001 at 3:11 PM CDT

Case Name: Myers v. Missouri Higher Education
Case Number: [1:01-ap-01021](#)
Document Number: [1](#)
Case Name: Fourdy Walls
Case Number: [2:01-bk-10203](#)
Document Number: [4](#)

Docket Text:
 First Complaint *RE:Red 57 Chevrolet Convertible* by Heather J. Myers against Missouri Higher Education. Filing Fee in the amount of \$150.00 required.. (Parrish, Marie)

The following document(s) are associated with this transaction:

Document description:Main Document
Original filename:L:/CMECF Train- PDF's/AP cover sheet.pdf
Electronic document Stamp:
 [STAMP bkcfStamp_ID=990647545 [Date=9/13/2001] [FileNumber=3785-0] [4
 e38c552b7785ee2b954c145bbeb18981f7990642e14314eb76b4e6ffa89d3c2bd25313

Figure 18a

- ◆ The **Notice of Electronic Filing** is the verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.
- ◆ Further access to the **Notice of Electronic Filing** is available though the electronic docket report. When this option is selected, a bullet appears next to the document number of the event on the docket report. (See Figure 18b.) Clicking on this bullet will display a copy of this notice. Attorney users must first login to the PACER program. (See Figure 18b.)


01/08/2001	 3	Application to Pay Filing Fee in Installments. 01/08/2001)
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Figure 18b

- ◆ To print a copy of this notice, click the browser **[Print]** icon.
- ◆ To save a copy of this receipt, click **[File]** on the browser menu.

- ◆ Trustee and Attorney users will have access to the **Notice of Electronic Filing** at the time of their filing. Subsequent access to any Query or Report programs must go through the PACER system.